

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

RAHEEM J. BRENNERMAN,

Defendant.

No. 17-cr-337 (RJS)

RAHEEM J. BRENNERMAN,

Plaintiff,

No. 23-cv-1624 (RJS)

-v-

UNITED STATES OF AMERICA,

Defendant.

ORDER

RICHARD J. SULLIVAN, Circuit Judge:

The Court is in receipt of a letter from Defendant Raheem J. Brennerman, dated July 18, 2023, in which he asserts that the Court's July 11, 2023 Order (Doc. No. 304) constituted an improper effort to "conceal [Brennerman's prior] submissions" and seeks "relief from this Court's misconduct." Because this submission, like Brennerman's prior submissions, fails to make a cognizable request for relief, the Court will not respond to or take any action in connection with this submission. Nor will the Court docket this correspondence. *See, e.g., Democratic Nat'l Comm. v. Russian Fed'n*, No. 18-cv-3501, 2018 WL 3323161, at *1 (S.D.N.Y. June 21, 2018) (refusing to docket submission unrelated to proper request for relief); *Abraham v. Leigh*, No. 17-cv-5429, 2020 WL 5095655, at *10 (S.D.N.Y. Aug. 28, 2020) (explaining that court's docket is not the place for "calumny or score-settling").

Nevertheless, the Court will maintain a copy of this submission under seal for the purpose of facilitating appellate review, *see In re N.Y. Times Co.*, 828 F.2d 110, 116 (2d Cir. 1987); *see also Sealed*

Plaintiff v. Sealed Defendant, 537 F.3d 185, 192 (2d Cir. 2008) (explaining the need for district courts to create a record of pro se submissions to facilitate appellate review), and in the event that it becomes necessary for the Court to consider sanctions, including a filing injunction that bars Brennerman from filing any submissions without first obtaining leave of the Court, *see Iwachiw v. N.Y. State Dep’t of Motor Vehicles*, 396 F.3d 525, 528–30 (2d Cir. 2005); *see also Lau v. Meddaugh*, 229 F.3d 121, 123 (2d Cir. 2000) (“The district courts have the power and the obligation to protect the public and the efficient administration of justice from individuals who have a history of litigation entailing vexation, harassment and needless expense to other parties and an unnecessary burden on the courts and their supporting personnel.” (internal quotation marks and alteration omitted)).

In his July 18, 2023 submission, Brennerman represents that he voluntarily withdrew his appeal of the Court’s January 25, 2023 Order denying his motion for reconsideration because that appeal “duplicate[d] [his] existing appeal” from the Court’s January 3, 2023 denial of his omnibus motion seeking collateral relief. (See Doc. Nos. 292, 293.) In the event that Brennerman is under the impression that he has a pending appeal as to either his omnibus motion or his subsequent motion for reconsideration, he is advised that the Second Circuit has deemed his appeals from the denials of those motions withdrawn. (See Doc. No. 299.)

The Clerk of Court is respectfully directed to mail a copy of this order to Raheem J. Brennerman.
SO ORDERED.

Dated: July 26, 2023
New York, New York



RICHARD J. SULLIVAN
UNITED STATES CIRCUIT JUDGE
Sitting by Designation